

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ROW VAUGHN WELLS, INDIVIDUALLY)
AND AS ADMINISTRATRIX OF THE)
ESTATE OF TYRE DEANDRE NICHOLS,)
DECEASED,)

Plaintiffs,)

v.)

CASE NO. 2:23-CV-02224
JURY DEMAND

THE CITY OF MEMPHIS, A)
MUNICIPALITY; CHIEF CERELYN DAVIS,)
IN HER OFFICIAL CAPACITY; EMMITT)
MARTIN III, IN HIS INDIVIDUAL)
CAPACITY; DEMETRIUS HALEY, IN HIS)
INDIVIDUAL CAPACITY; JUSTIN SMITH,)
IN HIS INDIVIDUAL CAPACITY;)
DESMOND MILLS, JR. IN HIS INDIVIDUAL)
CAPACITY; TADARRIUS BEAN, IN HIS)
INDIVIDUAL CAPACITY; PRESTON)
HEMPHILL, IN HIS INDIVIDUAL)
CAPACITY; ROBERT LONG, IN HIS)
INDIVIDUAL CAPACITY; JAMICHAEL)
SANDRIDGE, IN HIS INDIVIDUAL)
CAPACITY; MICHELLE WHITAKER, IN)
HER INDIVIDUAL CAPACITY; DEWAYNE)
SMITH, IN HIS INDIVIDUAL CAPACITY)
AND AS AGENT OF THE CITY OF)
MEMPHIS,)

Defendants.)

**JOINT MOTION TO STAY DEFENDANT CITY OF MEMPHIS’S MOTION TO
COMPEL AND/OR CERTIFY PLAINTIFF’S RESPONSES TO CITY’S
FIRST SET OF INTERROGATORY REQUESTS AND FIRST SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**

Defendant the City of Memphis (the “City”) and Plaintiff Row Vaughn Wells (collectively, the “Parties”), by and through undersigned counsel, hereby move this Court to stay the City’s

Motion to Compel and/or Certify Plaintiff's Responses to City's First Set of Interrogatory Requests and First Set of Requests for Production of Documents ("Motion to Compel"). (ECF No. 217.) In support of this Motion, the Parties state as follows:

1. The City filed its Motion to Compel and Memorandum in Support on October 9, 2024. (ECF No. 217 and 217-1.)

2. On October 10, 2024, Plaintiff communicated to the City via email that Plaintiff believes that many, if not all, issues raised in the Motion to Compel likely can be resolved by the Parties without Court intervention.

3. On October 14, 2024, Plaintiff and the City engaged in a meet and confer and, among other topics, discussed the pending Motion to Compel and possible resolution short of Court intervention. The Parties agreed that the Motion to Compel should be stayed pending additional conversations between the Parties.

4. Thereafter, the Parties scheduled two additional meet and confers for October 18, 2024 and October 28, 2024.

5. The Motion to Compel does not require additional motion practice or court intervention at this time.

6. The Parties will work expeditiously to resolve the issues raised in the City's Motion to Compel. Upon reaching resolution of all issues or impasse, the Parties will notify the Court.

7. Based on the foregoing, Defendant the City of Memphis and Plaintiff respectfully request that this Court grant this motion to stay the City's Motion to Compel and/or Certify Plaintiff's Responses to City's First Set of Interrogatory Requests and First Set of Requests for Production of Documents.

Dated: October 21, 2024

Respectfully submitted,

ROMANUCCI & BLANDIN, LLC

/s/ Sarah M. Raisch

Antonio M. Romanucci (Ill. Bar No. 6190290) (*pro hac vice*)

Bhavani K. Raveendran (Ill. Bar No. 6309968) (*pro hac vice*)

Sarah Raisch (Ill. Bar No. 6305374) (*pro hac vice*)

Joshua M. Levin (Ill. Bar No. 6320993) (*pro hac vice*)

Sam Harton (Ill. Bar No. 6342112) (*pro hac vice*)

ROMANUCCI & BLANDIN, LLC

321 N. Clark St., Ste. 900

Chicago, IL 60654

+1 (312) 458-1000, Main

+1 (312) 458-1004, Facsimile

aromanucci@rblaw.net

b.raveendran@rblaw.net

sraisch@rblaw.net

jlevin@rblaw.net

sharton@rblaw.net

David L. Mendelson (Tenn. Bar No. 016812)

Benjamin Wachtel (Tenn. Bar No. 037986)

MENDELSON LAW FIRM

799 Estate Place

Memphis, TN 38187

+1 (901) 763-2500 (ext. 103), Telephone

+1 (901) 763-2525, Facsimile

dm@mendelsonfirm.com

bwachtel@mendelsonfirm.com

Ben Crump (Wash., D.C. Bar No. 1552623;

Tennessee Bar No. 038054)

Chris O'Neal (Fla. Bar No. 910201) (*pro hac vice pending*)

Brooke Cluse (Tex. Bar No. 24123034) (*pro hac vice pending*)

BEN CRUMP LAW, PLLC

717 D Street N.W., Suite 310

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.**

/s/ Bruce A. McMullen

Bruce McMullen (#18126)

Jennie Vee Silk (#35319)

Freeman B. Foster (#23265)

165 Madison Avenue, Suite 2000

Memphis, Tennessee 38103

Telephone: (901) 526-2000

bmcmullen@bakerdonelson.com

jsilk@bakerdonelson.com

ffoster@bakerdonelson.com

*Attorneys for Defendant City of
Memphis, Chief Cerelyn Davis in her
Official Capacity, and Dewayne Smith
as Agent of the City of Memphis*

Washington, D.C. 20004
+1 (337) 501-8356 (Cluse), Telephone
ben@bencrump.com
chris@bencrump.com
brooke@bencrump.com

LaShonda Council Rogers (Ga. Bar No. 190276)
(*pro hac vice pending*)
COUNCIL & ASSOCIATES, LLC
50 Hunt Plaza, SE Suite 740
Atlanta, GA 30303
+1 (404) 526-8857, Telephone
+1 (404) 478-8423, Facsimile
lrogers@thecouncilfirm.com

Earnestine Hunt Dorse (Tenn. Bar No. 012126)
EARNESTINE HUNT DORSE
3268 N Waynoka Circle
Memphis, TN 38111-3616
+1 (901) 604-8866, Telephone
ehdorse@gmail.com

*Attorneys for Plaintiff, RowVaughn Wells,
individually and as Administratrix Ad Litem of the
Estate of Tyre Deandre Nichols, deceased*

CERTIFICATE OF CONSULTATION

Pursuant to Local Rule 7.2(a)(1)(B), the undersigned hereby certifies that on October 14 and October 16, 2024, counsel for the Plaintiff consulted with counsel for the City via videoconference and email, respectively. Counsel for the City and Counsel for Plaintiff have agreed on the relief requested in this motion.

s/ Sarah M. Raisch

Sarah M. Raisch

CERTIFICATE OF SERVICE

I, Sarah Raisch, hereby certify that on October 21, 2024, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, and that upon filing, such system will serve a copy of the foregoing upon all counsel of record in this action.

s/ Sarah M. Raisch

Sarah M. Raisch